

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MISSOURI PRIMATE FOUNDATION,  
et al.,**

**Plaintiffs and  
Counterclaim Defendants,**

**v.**

**PEOPLE FOR THE ETHICAL  
TREATMENT OF ANIMALS, INC., et al.,**

**Defendants and  
Counterclaim Plaintiffs.**

**Case No. 4:16-cv-02163**

**DECLARATION OF JARED GOODMAN IN SUPPORT OF COUNTERCLAIM  
PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT AGAINST  
COUNTERCLAIM DEFENDANT ANDREW SAWYER**

I, Jared Goodman, declare as follows:

1. The facts contained in this Declaration are known personally to me and, if called as a witness, I could and would testify competently thereto under oath.
2. I am duly licensed to practice law in California, New York, and Washington D.C., and am admitted *pro hac vice* to practice in the United States District Court for the Eastern District of Missouri for this matter. I am the Deputy General Counsel for Animal Law for the Foundation to Support Animal Protection (a/k/a the PETA Foundation) and represent the Counterclaim Plaintiffs People for the Ethical Treatment of Animals, Inc. and Angela Scott (“Plaintiffs”) in the above-captioned case. I submit this Declaration in support of Counterclaim Plaintiff’s Motion for Summary Judgment against Counterclaim Defendant Andrew Sawyer.
3. In my capacity as Plaintiff’s counsel in this case, I bore primary responsibility to oversee the receipt and review of Counterclaim Defendants’ (“Defendants”) answers to

Plaintiffs' discovery requests and to oversee the gathering of information and documents to respond to Defendants' discovery requests.

4. Defendants did not Bates stamp or otherwise number any documents produced in response to Plaintiff's various requests, so I have done so.

5. Attached hereto as **Exhibit A** are true and correct copies of Connie Braun Casey's ("Casey") United States Department of Agriculture ("USDA") inspection reports detailing Casey's citations from 1998 to 2016, produced by Plaintiffs and bearing Bates numbers PETA-00001-72, PETA-00075-119, and PETA-00121-125. Casey has stipulated to their authenticity. [ECF No. 121, at 3.]

6. Attached hereto as **Exhibit B** is a true and correct copy of the March 3, 2014, USDA Letter of Information issued to Casey, produced by Plaintiffs and bearing Bates numbers PETA-00073-74. Casey has stipulated to its authenticity. [ECF No. 121, at 3.]

7. Attached hereto as **Exhibit C** is a true and correct copy of the February 9, 2015, USDA Official Warning of Violation of Federal Regulations, Case No. MO150029, issued to Casey and produced by Plaintiffs, bearing Bates number PETA-00120. Casey has stipulated to its authenticity. [ECF No. 121, at 3.]

8. Attached hereto as **Exhibit D** is a true and correct copy of an "Enrichment Log" produced by Casey, bearing Bates numbers CASEY-00008-63 (added by Plaintiffs for ease of reference).

9. Attached hereto as **Exhibit E** is a true and correct copy of a diagram of the chimpanzee enclosures at Casey's facility, produced by Casey, bearing Bates number CASEY-00066 (added by Plaintiffs for ease of reference).

10. Attached hereto as **Exhibit F** is a true and correct copy of partial list of chimpanzees “on hand” at Casey’s facility, produced by Casey, bearing Bates number CASEY-00321 (added by Plaintiffs for ease of reference).

11. Attached hereto as **Exhibit G** are true and correct copies of representative photographs of Joey and his enclosure at Casey’s facility, bearing Bates numbers PETA-00846-47. A PETA representative represents that she took these photographs on August 21, 2014, and that they accurately represent the then-existing conditions.

12. A true and correct copy of representative video of Joey and his enclosure at Casey’s facility, bearing Bates numbers PETA-00699, 700, and 739-741, are embedded into this Declaration and can be viewed by clicking on [Exhibit H](#). A PETA representative represents that she took these videos on July 2, 2014, and that they accurately represent the then-existing conditions.

13. A true and correct copy of representative video of Joey and his enclosure at Casey’s facility, bearing Bates numbers PETA-00816-17, are embedded into this Declaration and can be viewed by clicking on [Exhibit I](#). A PETA representative represents that she took these videos on August 20, 2014, and that they accurately represent the then-existing conditions.

14. A true and correct copy of representative video of Joey and his enclosure at Casey’s facility, bearing Bates numbers PETA-00865-68, 880, and 884, are embedded into this Declaration and can be viewed by clicking on [Exhibit J](#). A PETA representative represents that she took these videos on August 21, 2014, and that they accurately represent the then-existing conditions.

15. Attached hereto as **Exhibit K** is a true and correct copy of the USDA’s Final Report on Environmental Enhancement to Promote the Psychological Well-Being of Nonhuman

Primates (“USDA Report”), which enunciates the USDA’s “policy on environment enhancement to promote the psychological well-being of nonhuman primates,” interprets the regulation published in 9 C.F.R. § 3.81, and “explains the scientific basis for the policy and how it was developed.” The USDA Report bears Bates numbers PETA-00125-97, is publicly available at [https://www.nal.usda.gov/sites/default/files/environmentalenrichmentnhp\\_0.pdf](https://www.nal.usda.gov/sites/default/files/environmentalenrichmentnhp_0.pdf), and was last accessed on March 12, 2019.

16. Attached hereto as **Exhibit L** is a true and correct copy of a sworn affidavit of Counterclaim Plaintiff Angela Scott, produced by Plaintiffs and bearing Bates numbers PETA-01979-85.

17. Attached hereto as **Exhibit M** is a true and correct copy of a sworn declaration of Gwendolen Reyes-Illg, DVM, and accompanying Exhibit A to that declaration, her written report titled “Expert Report on the Chimpanzee ‘Joey,’” produced by Plaintiffs pursuant to Federal Rule of Civil Procedure 26(a)(2).

18. Attached hereto as **Exhibit N** is a true and correct copy of a sworn declaration of Mary Lee Jensvold, Ph.D., and accompanying Exhibit A to that declaration, her written report titled “Expert Report on the Chimpanzee ‘Joey,’” produced by Plaintiffs pursuant to Federal Rule of Civil Procedure 26(a)(2).

19. Attached hereto as **Exhibit O** is a true and correct copy of a sworn declaration of Stephen Ross, Ph.D., and accompanying Exhibit A to that declaration, his written report titled “Expert Report on the Chimpanzee ‘Joey,’” produced by Plaintiffs pursuant to Federal Rule of Civil Procedure 26(a)(2).

20. Attached hereto as **Exhibit P** is a true and correct copy of relevant excerpts of the transcript of the October 29, 2018 deposition of Connie Braun Casey.

21. Attached hereto as **Exhibit Q** is a true and correct copy of relevant excerpts of the transcript of the June 27, 2018 deposition of Douglas Pernikoff.

22. Attached hereto as **Exhibit R** is a true and correct copy of Connie Braun Casey's Amended Objections and Answers to Counterclaim Plaintiffs First Interrogatories, served by Casey on October 12, 2018.

23. Attached hereto as **Exhibit S** is a true and correct copy of Connie Braun Casey's Supplemental Responses to Counterclaim Plaintiffs' First Requests for Admission to Counterclaim Defendant Connie Braun Casey, served by Casey on December 17, 2018.

24. Attached hereto as **Exhibit T** is a true and correct copy of the first two pages of Douglas Pernikoff's document production, produced pursuant to subpoena on March 26, 2018, and bearing Bates numbers PERNIKOFF-00001-2 (added by Plaintiffs for ease of reference).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

March 18, 2019

Los Angeles, California

/s/ Jared Goodman

Jared Goodman